

REMARKS

Claims 23 to 25 have been amended. Claims 14 to 28 are now pending in the above-referenced application.

Applicants note with appreciation the acknowledgement of the claim for foreign priority. However, the Examiner has indicated that none of the certified copies of the priority documents have been received. A certified copy of the priority document, *i.e.*, German Application No. 102 30 834.9, will be submitted shortly.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, 1449 paper, and cited references.

Applicants note with appreciation the indication that claims 14 to 22 and 26 to 28 are allowed.

Claims 23 to 25 stand rejected under 35 U.S.C. § 101 as allegedly including non-statutory subject matter, and under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the enablement requirement. While Applicants do not necessarily agree with the merits of these rejections, to facilitate matters, claims 23 to 25 have been amended herein without prejudice to obviate the present rejections. Withdrawal of these rejection is therefore respectfully requested.

It is respectfully submitted that the subject matter of the present application is new, non-obvious, and useful. Prompt consideration and allowance of the application are respectfully requested.

Respectfully submitted,

KENYON & KENYON LLP

Dated: 6/9/04

By: GAM (R. No. 484,172)
Gerard A. Messina
Reg. No. 35,952

One Broadway
New York, NY 10004
Telephone: (212) 425-7200